



TRAUMA-INFORMED  
PROSECUTOR PROJECT



Thursday, March 8, 2021



## **Child Abuse Prosecution Trial Advocacy Conference**

### **When the Child Stands Alone: The Search for Corroborating Evidence**

Presented by:

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Distributed by:

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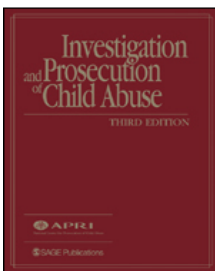
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## Best practices



- Immediate response
- Specialized units
- Use CACs
- Highly trained forensic interviewers
- Involve prosecutor early



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## MDT investigation protocol



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## Limit the investigators involved



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## Limit the prosecutors involved



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## Involvement prosecutor from the outset



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## Child friendly interview rooms



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## Forensic interview training



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## Suspect interrogation training



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## Corroboration and photos



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## An immediate response



- 24/7 for forensic interviews
- Always investigators, social workers and prosecutors with specialized training on call

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## Polyvictimization research

- Exposure to multiple forms of victimization was common.
- Almost 66% of the sample was exposed to more than one type of victimization, 30% experienced five or more types, and 10% experienced 11 or more different forms of victimization in their lifetimes.
- Poly-victims comprise a substantial portion of the children who would be identified by screening for an individual victimization type, such as sexual assault or witnessing parental violence.
- Poly-victimization is more highly related to trauma symptoms than experiencing repeated victimizations of a single type and explains a large part of the associations between individual forms of victimization and symptom levels.  
– (Turner, Finkelhor, et al. 2010)



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## Finding corroborating evidence



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## Closely examine the victim's statement



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## Corroborating the Child's Statement

- "I remember the first time..."
- Seventeen-year-old prostitute
- The camping/fishing trip
- Don't assume you can't corroborate (giant eagle case, the worm case)
- Motive evidence
- Sexual oddities ("whinny" account)
- Fantastic statements (butterfly account, devil account, Winnie the Pooh)



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## There is always a crime scene

- Photograph the crime scene (jurors get visual image of coldness or lost innocence), can help the child testify, prosecutor can use photos in cross examination ("Valerie liked living in the basement", closing argument)
- Videotape scene from perspective of victim
- Pictures long ago (victim visits LE station, sailboats on wall)
- "Picture This" article in CenterPiece (go to [www.ncptc.org](http://www.ncptc.org) & click on "publications")
- Bring crime scene to life



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## Crime scene photos may corroborate child's testimony

- "Daddy came into my bedroom, removed a Winnie the Pooh book from the closet bookcase and then sat on the edge of my bed. As he read the book, he placed his hands between my legs and moved his hand around. He then put the book on my nightstand, pulled me on the carpeted floor and next to the bed licked my koochie." (child indicates on anatomical diagram koochie is vagina)
- How might photos help corroborate the child's testimony?



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## Photos can corroborate ten aspects

- The entry way (daddy came into my room)
- The child has a bedroom
- There is a closet
- There is a bookcase in the closet
- There is a Winnie the Pooh book missing from closet bookcase
- There is a bed for perp to sit on the edge of
- There is a nightstand
- There is a Winnie the Pooh book on nightstand
- There is a carpeted floor
- There is room "next to the bed" to conduct crime



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## Photographing injuries



- High tech camera with immediate image that can be used in suspect interrogation or witness interviews
- Photograph on two dates



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There is always a crime scene

What would you do with  
this crime scene?



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### Crime scene investigation

- Marks on child's neck
- Measure length of chain & child's arm span
- Can child access food? Water? Bathroom? Entertainment (TV, computer, books)? Chair? Bed?
- Can child see park from window?
- Child's clothes (wetness/soiling)
- Temperature in the house
- Can dog access food, water, bed, toys, toilet area (paper, outdoors)?



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## Consider possibility of multiple victims



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## Multiple victims



- Men who molest girls average 19.8 victims
- Men who molest boys average 150.2 victims
  - Abel, et al
- Why might it be easier to sexually abuse a boy?

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## Medical evidence sexual abuse cases



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•physical examination/positive findings no better than 3% (Kaplan, et al)

•physical examination/negative findings

•Mental and medical health benefits to child (ACE)



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## Medical evidence

- Physical abuse cases
  - injuries consistent or inconsistent with history
  - degree of force: ask D to demonstrate on video
  - refute claim of easy bruising
  - danger of particular instruments



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## Child physical abuse

- Parents can use "reasonable force"
- What is unreasonable? (blows that leave marks, blows to vital organs, blows to the head, blows that are clearly not discipline)



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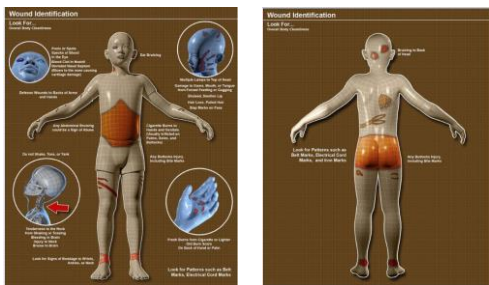
## Location of injuries

- Children are forward moving and frontal explorers, most accidental injuries are to "frontal" locations (forehead, nose, chin, palms, elbows, shins)
- Injuries to buttocks, genitalia, abdomen, back, lateral areas of body more likely to indicate abuse
- Does child's description make sense? (the coffee table account)



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## Practical visual



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## Handprint on face



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## Slap Mark



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## Children's Exposure to Violence



Is there an impact?

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## Effects of Exposure to IPV (Sommers, 2006)

	Infants	Preschool Age	School Age	Adolescents
Behavioral	<ul style="list-style-type: none"> <li>Fussy</li> <li>Decreased responsiveness</li> <li>Trouble sleeping</li> <li>Trouble eating</li> </ul>	<ul style="list-style-type: none"> <li>Aggression</li> <li>Behavior problems</li> <li>Regressive behavior</li> <li>Yelling, irritability</li> <li>Trouble sleeping</li> </ul>	<ul style="list-style-type: none"> <li>Aggression</li> <li>Conduct problems</li> <li>Disobedience</li> <li>Regressive behavior</li> </ul>	<ul style="list-style-type: none"> <li>Dating violence</li> <li>Delinquency</li> <li>Running away</li> <li>Truancy</li> <li>Early sexual activity</li> </ul>
Social		<ul style="list-style-type: none"> <li>Trouble interacting with peers</li> <li>Stranger anxiety</li> </ul>	<ul style="list-style-type: none"> <li>Few and low quality peer relations</li> </ul>	<ul style="list-style-type: none"> <li>Dating violence (victim or perpetrator)</li> <li>Increased risk for teen pregnancy</li> </ul>

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## Effects of Exposure to IPV (Sommers, 2006)

	Infants	Preschool Age	School Age	Adolescents
Emotional/ Psychological	<ul style="list-style-type: none"> <li>Attachment needs not met</li> </ul>	<ul style="list-style-type: none"> <li>Fear/anxiety, sadness, worry</li> <li>PTSD</li> <li>Negative affect</li> <li>Feeling unsafe</li> <li>Separation anxiety</li> </ul>	<ul style="list-style-type: none"> <li>Somatic complaints</li> <li>Fear &amp; anxiety, depression, low self-esteem, shame</li> <li>PTSD</li> <li>Limited emotional response</li> </ul>	<ul style="list-style-type: none"> <li>Substance abuse</li> <li>Depression</li> <li>Suicidal ideation</li> <li>PTSD</li> <li>Feeling rage, shame</li> <li>Unresponsiveness</li> </ul>
Cognitive	<ul style="list-style-type: none"> <li>Inability to understand</li> </ul>	<ul style="list-style-type: none"> <li>Self-blame</li> </ul>	<ul style="list-style-type: none"> <li>Self-blame</li> <li>Distracted, inattentive</li> <li>Pro-violent attitude</li> </ul>	<ul style="list-style-type: none"> <li>Short attention span</li> <li>Pro-violent attitude</li> <li>Defensive</li> </ul>

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## Understand effects of DV on children through drawings



- An eight-year-old was asked to draw a picture of his father. He wrote in Spanish:
- "This is how I see my father because he often gets angry and drunk and his eyes turn red."

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